

Remarks

In response to the non-final office action mailed March 2, 2005, the Applicants respectfully request reconsideration of the rejections and that the case pass to issue in light of the amendments above and the remarks below. By this paper, independent claims 1 and 18 are amended to further clarify the calculation of normalized power and dependent claims 19 and 20 are amended to correct dependency to claim 18. Claims 1-20 are pending. No other claims are added, amended, or canceled.

Claims 1, 2, 10, 11, 13, and 18 under 35 U.S.C. § 102(b) as being anticipated by USPN 5,847,566 to Marritt (the Marritt patent) and claim 14 under 35 U.S.C. § 103(a) as being unpatentable over Marritt in view of USPN 5,701,068 to Baer (the Baer patent). Claims 3-9, 12, 15-17, 19, and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

Rejection of claims 1, 2, 10, 11, 13, and 18 under 35 U.S.C. § 102(b) over Marritt

Independent claims 1 and 18, which are the only independent claims subject to this rejection, include limitations generally directed to calculating a normalized power as a function of desired limits on operator use of power actually available from an energy source. The Applicants respectfully submit the Marritt patent fails to disclose these limitations. Accordingly, the Applicants respectfully submit independent claims 1 and 18, and dependent claims 2, 10, 11, and 13, which depend therefrom and include all the limitation thereof, are patentable and nonobvious over the cited reference.

The Marritt patent merely discloses calculating a fuel-gauge normalized value. The value indicating remaining capacity of a battery. The value may be expressed as a percentage of a full scale of a fuel gauge. (Col. 38, ll. 23-26) The Marritt patent does not disclose the normalized value being determined as a function of desired limits on operator use of power actually available from an energy source.

**Rejection of claim 14
under 35 U.S.C. § 103(a)
Over Marritt and Baer**

Claim 14 depends from patentable claim 1, and therefore, is patentable at least for the same reasons that claim 1 is patentable.

Conclusion

In view of the foregoing, the Applicants respectfully submit that each rejection has been fully replied to and traversed and that the case is in condition to pass to issue. The Examiner is invited to contact the undersigned if it would further prosecution of this case to issue.

Respectfully submitted,

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